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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

KEVIN COMER,

Plaintiff

vs.

MICOR, INC., KENNETH C. SMITH,  
ELLIOT H. WAGNER, BARBARA  
ARBUCCI, and SALOMON SMITH  
BARNEY, INC.,

Defendants.

Case No. C 03-0818 (SBA)

**STIPULATION OF DISMISSAL WITH  
PREJUDICE AND ORDER**

IT IS HEREBY STIPULATED by and between the parties to this action through their designated counsel that the above-captioned action be and hereby is dismissed with prejudice pursuant to FRCP 41(a)(1), with each party to bear its own fees and costs.

Pursuant to General Order No. 45, Section X(B), filing counsel attests that concurrence in the filing of the document has been obtained from each of the other signatories.

Respectfully submitted,

LEWIS, FEINBERG, RENAKER &  
JACKSON, P.C.

Dated: May 23, 2006

By:

Daniel Feinberg  
Attorneys for Plaintiff

1 Dated: May 23, 2006

TRUCKER HUSS

2 By:

Robert Schwartz  
Attorneys for Micor Defendants

3  
4 Dated: May 23, 2006

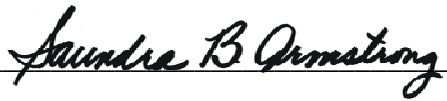
KEESAL, YOUNG & LOGAN, P.C.

5 By:

Peter Boutin  
Attorneys for Defendant Smith Barney

6  
7  
8 IT IS SO ORDERED.

9 Dated: 5/24/06

  
U.S. District Court Judge